



Atty. Dkt. No. 078728-0104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph ROBERTS et al.
Title: PEGYLATION OF
THERAPEUTIC AGENTS
Appl. No.: 09/972,245
Filing Date: 10/9/2001
Examiner: Richard A. Schnizer
Art Unit: 1635

**PETITION TO CLAIM BENEFIT TO A PROVISIONAL APPLICATION UNDER
37 C.F.R. § 1.78(a)(6)**

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Examiner indicated in the January 29, 2003 Office Action that the above-identified application did not gain the benefit of provisional application number 60/239,268, filed October 12, 2000, for failure to timely and proper include a reference to the provisional application.

**APPLICANTS HEREBY PETITION TO CLAIM THE BENEFIT OF THE
PROVISIONAL APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Reference required by 35 U.S.C. § 119(e), unless previously submitted;
- (2) Petition fee (37 C.F.R. § 1.17(t)); and
- (3) Statement that the entire delay between the date the claim was due and the date the claim was filed was unintentional.

- (1) Reference required by 35 U.S.C. § 119(e), unless previously submitted.

The reference required by 35 U.S.C. § 119(e) is submitted in the Amendment pursuant to 37 C.F.R. § 1.111, which is enclosed herewith.

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(2) Petition fee (37 C.F.R. § 1.17(t))

A check in the amount of \$1,330.00 is enclosed for the amount stated in 37 C.F.R. § 1.17(t) to cover the fee for this petition.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

(3) Statement that the delay was unintentional.

Applicants hereby state that the entire delay in filing the required reference, from the due date for the reference until the filing of this petition, was unintentional.

Respectfully submitted,

Date 1 June 2004

By S. A. Bent

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